KPP F IX 4

Previous References
Ml 14-30 Rs 90 & 92

193[illegible]-32
(Ml)

Serial Nos. 273-F

Later References
CP W 32 Rs 83 & 92 & 94
Mil 40-32 25 31
MP 15 83 Rs 49 & 53
Rev 40-34 15 26
Mil 39-37-83 38, 40
Rev 13 38 Rs 94
Rev 15-40-29, 30, 33, 34

PRESERVED

General and Revenue Secretariat.

Serial Nos Rev a

Part B for July '32

SUBJECT

Re question of door No 2/121 in Balepet & Nos 252/1, 252/2 and 253 in Lalbagh Cutcherry Road for forming a circle

288 L 305 dated 12 7 32 --

Notifies the withdrawal of the acquisition of property bearing door No 2/121 in Balepet B'lore

To be considered Mysore Gazette

L 306 dated 12 7 32

Copy to Mil Comr B'lore etc

22 7 32

CITY MUNICIPAL OFFICE,

Bangalore City Dated 18th May 1932

4548

RU 32-31-275

FROM

P H KRISHNA RAU ESQ, M.A
MUNICIPAL COMMISSIONER
BANGALORE CITY

GENERAL SECRETARY
18 MAY 1932
No.

GEN. & REV. SECTT.
20 MAY 32
L. & G. BRANCH

H V Ramasvami, Esq , M A.,B L ,
General Secretary to Government of Mysore,
BANGALORE

Sir,

With reference to the correspondence ending with - Government Order No L 6820-23/ml 14-30-91 dated 18-2-1931 - sanctioning the acquisition of door No 2/121 in Balepet and Nos 252/1, 252/2 and 253 in Taluk Cutcherry Roads for forming a circle, I have the honour to state that except door No 2/121 the remaining properties have been acquired and taken possession of The cost of acquisition of the above property in full as - originally estimated is Rs 1195-8-0 which is included in the above sanctioned amount of Rs 3350/- Award in respect of this property was made on 16-6-1931 but the property has not yet been taken possession of

With regard to the acquisition of this property the claimant's Advocate filed an application to the effect that only a portion of the property actually required for the formation of the circle in accordance with the plan of the consulting Architect to Government may be acquired and taken possession and that the remaining portion may be allowed to be retained by the claimant This was referred to the Municipal Council who at their meeting held on 5-10-1931 resolved that the modification of the Council resolution dated 13-1-1931 for acquiring the whole property for the purpose only the required portion may be acquired A copy of the Council resolution dated 5-10-1931

to withdraw from the acquisiton of the whole property and the fact communicated to this office

The cost of acquiring only a portion of the property required for the circle as per Council resolution dated - 5-10-1931 amounting to Rs 482-4-0 excluding statutory allowance of 15% will be met out of Rs 75000/- provided in the current years' budget of the City Municipality under D_3 - Compensation

The final declaration statements in duplicate in - Kannada andEnglish are herein enclosed for favour of publication

I request that sanction of Government to the acquisition of a portion of the property ~~required for the property~~ required for the purpose may be obtained and communicated to this Office for taking further acquisition proceedings in the matter

I have the honour to be,
Sir,
Your most obedient servant

Municipal Commissioner

PROCEEDINGS OF THE COUNCIL MEETING DATED 5-10-1931

SUBJECT

D 5 To consider Office Memo, dated 18th August 1931, in the matter of the modification of the Council Resolution dated 13th February 1931, for acquiring certain properties in full for forming a Circle at the junction of Balepet and Taluk Cutcherry Roads

(On the application of the Claimant's Advocate, the Municipal Commissioner ordered to take possession of only the required portion of the properties and hence modification in the Council Resolution)

RESOLUTION -- The Modification of the Council Resolution dated 13th September 1931 to the effect that only the required portion be acquired be approved

'Copy'
For Municipal Commissioner
Bangalore City Municipality

Sd/-P Subbarama Chetty,
President

[illegible] of Bangalore

General and Revenue Secretariat | File No 32 of 1931 | [App F III—2

Serial No

5 The conditions have been specified in the draft rules

6 It does not appear to be possible to correctly specify the boundaries of the land to be returned by the mere process of withdrawing from the acquisition of part of the property. The land owner may be asked to compromise with the owner under Section 31(1) of the L A Regn or the Govt is asked to acquire the whole property and then convey the portion not wanted to the owner for the proportionate amount.

Forwarded

Sec'y 2/11/32

Sec'y

7 May be referred to Law Sec'y

8 Sec'y, Law Sec'y and Counsel

9 Under sec 48 of the L A Regn, it is doubtful if there can be a valid withdrawal from acqns.

SECRETARY
4 JUNE 1932
C423

of only a portion of the property when the whole of which has been declared for acquisition. Therefore in this case, there are only three ways of achieving the object in view, viz:-

1) withdrawal from the acqn of the entire property and a fresh declaration for acqn of only the portion required

or 2) ~~Since the award has been made, an~~ Arriving at an arrangement ~~may be come to~~ between the owner and the L A Officer under Sec 31 cl (4), by which the owner agrees to receive only a portion of the amount of compensation awarded in lieu of the L A Officer consenting ~~and~~ to take possession of only the part of the property acquired - being

or 3) Possession of the entire property ~~may~~ be taken and the portion not required reconveyed to the party by means of a separate deed.

If there are any disputes as regards the quantum of compensation, or if the party is not willing to accept the award made, the 2nd & 3rd methods suggested above may lead to unnecessary complications and it is best to adopt the 1st method. ~~Any delay~~ The only objection to the 1st method being adopted is that there might be some delay in taking possession, since fresh declaration statement &c

Serial No

have to be made according to law. This is however unavoidable, since the provisions of sec 17 cannot apply to acquisition of buildings. Since the Railway has no right to the proposed acqn, much delay is certain to be avoided

Asst Secy, Legy
with compts

MG
23/6

11) Foraden
If the 1st method proposed above is to be adopted a notice withdrawing from the acquisition of the whole property has to be issued, and the RE Cauv asked to send up preliminary notification regarding the portion to be acquired

Sen'Secy) Asst 23/6
12) (Abstract) RS
II no. Minute 23/6/32

13) Legy, 17 ix
Legy Draft Asst 27

14) Abstract
RS 24/7/32

15) For perusal before issue
Sen'Secy) Asst 5/7
RS 7/7/32

16) Issued Asst 7/7

Issued Notn no 1305 of 8/7/32 to Compiler Mysore Gazette. Notifn no 1306 of 12/7/32 to Executive Engr

SECRETARY
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JUNE 1932

File No	193	General and Revenue Secretariat

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 302 / Ml 32-31-288

GENERAL AND REVENUE SECRETARIAT

Dated Bangalore 8th July 193 2.

NOTIFICATION

Under Section 48(1) of the Land Acquisition Regulation 1894, Government are pleased to withdraw from the acquisition of property bearing door No.7/121 in Balepet, Bangalore City, notified in Government Notification No.L.6824/Ml. 14-30-32, dated 18th February 1932, as required for forming a circle.

By Order,

Asuliba Rao

for General Secretary to Govt.

To

The Compiler, Mysore Gazette, for publication

Agn/8.

Appendix F G—1]

SUBJECT

Section nil
File No 32-31
Serial No 288

1305

Diary No of letter replied to

No typ cation

To under the ord (1) Sheet A
Regn 1854, first are pleased to
withdraw from the acquisition
property comprising
of house no 12/121 in Balepet
Bangalore city, notified in first
notn no 6824/mc 14-30-32 &
18-2 31, as required for forming
a cycle

By order
RR
7/7/32

Mr Allen Secy to
AS
4/7/32

To the compiler, upon Gazette for
Under
306/mc 8/2 32
copy of the notices 3 cys - thro' the
post inviting objs to the notn no 8 to
270 dy 18-5-32, with the request that
freely objns may be sent up regard
the portion of the property to be acquired

Da e of issue 1/7/32

Signed by Mr A S Rao

List of enclosures